

STATEMENT OF PURPOSE

RS20654

This legislation establishes an Access to Justice Fund in the state treasury to assist Idaho Legal Aid Services (ILAS) in providing free legal representation for indigent persons in civil matters and to meet the costs of maintaining the operation of ILAS. Moneys will be collected for the fund by assessing a ten-dollar (\$10.00) user fee on persons who file certain civil cases in Idaho courts.

ILAS is a non-profit law firm funded by a grant from the Legal Services Corporation (LSC) and other smaller grants. ILAS provides critical legal services to vulnerable Idahoans such as victims of domestic violence and sexual assault, abused and neglected children who need a protective guardianship, seniors who need long term care, and persons facing homelessness. Earlier this year, the U.S. House of Representatives voted to reduce LSC funding by \$70 million, which represents about an 18% cut to state and local offices. ILAS has already been forced to cut salaries and staff during the current recession, resulting in fewer indigent Idahoans being able to access the court system when the need for such services is at an all-time high.

Currently, Idaho is the only state in the nation that does not provide some form of supplemental funding for its legal services providers. Forty-nine states provide financial assistance, either with a filing fee, state appropriation, or a combination of the two.

As the recession has stretched Idaho's general fund dollars to the limit, it has also created a larger population of people who qualify for ILAS assistance. Moneys in the fund will be used by ILAS attorneys to assist qualifying clients in cases involving domestic violence, abused and neglected children, elder exploitation, foreclosures, and veterans' issues.

FISCAL NOTE

None.

Contact:

Name: Representative Clifford R. Bayer

Office:

Phone: (208) 332-1000